

WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

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| Title of proposal: | Social Partnership and Public Procurement (Wales) Regulations 2026 |
| Official(s) completing the Integrated Impact Assessment (name(s) and name of team): | Procurement Policy (Legislation) |
| Department: | Commercial and Procurement |
| Head of Division/SRO (name): | Simon Brindle |
| Cabinet Secretary/Minister responsible: | Jack Sargeant MS, Minister for Culture, Skills and Social Partnership |
| Start Date: | 25/03/26 |

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SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

| Acronym | Definition |
|-------------------|--|
| SPC | Social Partnership Council |
| “the Act” | Social Partnership and Public Procurement (Wales) Act 2023 |
| “the Regulations” | The Social Partnership and Public Procurement (Wales) Regulations 2026 |
| WFG Act | Well-being of Future Generations Act 2015 |

1. The Social Partnership and Public Procurement (Wales) Act 2023 (the “Act”) provides for a framework to enhance the well-being of the people of Wales by improving public services through social partnership working, promoting fair work and socially responsible public procurement.
2. The Act and the regulations published under the Act represent a major step towards achieving the Welsh Government’s Programme for Government commitments. It establishes a strategic public procurement approach that supports contracting authorities in ensuring that well-being goals are central considerations in procurement in order to improve outcomes and public service delivery. By strengthening social partnership, promoting fair work, and embedding socially responsible procurement, the Act aims to drive lasting, positive change.
3. This impact assessment relates to the Social Partnership and Public Procurement (Wales) Regulations 2026 (the “Regulations”) which implement the new socially responsible procurement regime established by the Act. It therefore also considers the impacts of the Act itself.
4. In summary, the Act makes provision for:
 - the establishment of a Social Partnership Council (the “SPC”);

- a statutory duty on certain public bodies to seek consensus or compromise with their recognised trade unions (or where there is no recognised trade union) other representatives of their staff, when setting their well-being objectives and delivering on those objectives under section 3(2) of the Well-being of Future Generations Act 2015 (the “WFG Act”);
- a statutory duty on Welsh Ministers to consult social partners, employers and worker representatives through the SPC when delivering on their well-being objectives under section 3(2)(b) of the WFG Act;
- amendment of section 4 of the WFG Act 2 by substituting ‘fair work’ for ‘decent work’ within the existing “A prosperous Wales” goal;
- a statutory duty on certain public bodies¹ to consider socially responsible public procurement when carrying out procurement, to set objectives in relation to well-being goals, and to publish a procurement strategy;
- certain public bodies to carry out contract management duties to ensure that socially responsible outcomes are pursued through supply chains;
- reporting duties to be imposed on the public bodies and Welsh Ministers in relation to the Social Partnership Duty and Procurement duty;
- a procurement subgroup of the SPC to provide information and advice to the SPC about the procurement duties imposed on contracting authorities.

5. The Regulations supplement the Act by defining key terms such as 'prescribed contract' and 'registerable contract', and by amending section 27(2) of the Act to replace the term 'people with disabilities' with 'disabled people'. They also specify the information Welsh Ministers require in annual socially responsible procurement reports.

6. The Regulations include provisions which fall under both negative and affirmative procedures. As per Section 40 of the Legislation (Wales) Act 2019, provision subject to the negative procedure may be combined in the same instrument as provision subject to the draft affirmative procedure. As a result, the draft affirmative procedure applies to these Regulations, which means that the Regulations must be laid before the Senedd, debated and then approved by the resolution of the Senedd before they can come into force.

¹ Schedule 1 of the [Social Partnership and Public Procurement \(Wales\) Act 2023](#) lists the public bodies upon which this statutory duty is placed.

SECTION 2. WHAT WILL BE THE EFFECT ON SOCIAL WELL-BEING?

2.1 People and Communities

7. These regulations set out the information required by the Welsh Ministers to assess the extent to which a contracting authority, meeting its socially responsible procurement objectives, contributes to the achievement of the well-being goals and the extent to which that authority's public procurement, generally, contributes to the achievement of those goals. To provide the information, contracting authorities must capture certain supplier information for in scope contracts, and this includes fair work characteristics.
8. Fair work significantly influences overall well-being in Wales. Government programmes and public services are central to supporting people's lives, and ensuring fair employment practices and worker voice is essential. However, some employment practices, such as zero-hour contracts imposed without agreement with workers, can negatively affect well-being by causing financial instability.
9. Strengthening social partnership through collective bargaining and trade union engagement supports a more equal and inclusive society. It ensures fair representation for workers, fosters balanced agreements with employers, and informs better public policy. This contributes to improved public services and overall well-being.
10. Capturing lived experiences and engaging with people and communities, particularly of those with protected characteristics as defined by the Equality Act 2010, is essential to shaping effective policy. Collecting information about suppliers that have equalities enshrined in their recruitment and employment processes in place helps drive more inclusive workplaces.

2.2 Children's Rights

11. These Regulations supplement the Act therefore it has been decided that a full Children's Rights Impact Assessment is not required.
12. A full impact assessment was not required for the Act because the legislation is expected to positively influence children's rights by promoting fair work, socially responsible procurement, and improved public services. The regulations further support the Act's aims to promote fair work, with potential direct benefits for 16–18-year-olds in or entering

work, and indirect benefits for younger children through reduced in-work poverty and improved work-life balance for parents.

13. Socially responsible procurement duties will also enhance due diligence in supply chains, helping to address risks of child labour and exploitation, including overseas. While the full extent of this impact is currently unquantifiable, it represents a positive step toward safeguarding children's rights.

2.3 Equality

14. These regulations include a change of wording to align with the social model of disability, and a requirement for contracting authorities to collect metrics about whether suppliers have inclusive recruitment and employment practices in place.

15. Undertaking an EIA is mandatory, and the assessment has been completed and is at Annex A.

2.4 Rural Proofing

16. These Regulations are not expected to create differential impacts for people living or working in rural communities compared to other communities in Wales, and so a full rural proofing impact assessment has not been completed. However, one of the Welsh Government's priorities is the development of local and foundational economies. Good procurement practice will promote the growth of local economies and encourage the use of local businesses, supporting the achievement of a more resilient Wales, cohesive communities and a vibrant culture, and a thriving Welsh language. Promoting good employment practices will also enhance people's well-being in rural areas.

2.5 Health

17. These Regulations are not expected to directly affect health determinants. However, health outcomes align to economic prosperity and environmental conditions, so an indirect impact of these regulations in improved health outcomes may be experienced over time.

18. These Regulations are not expected to create a differential health impact on particular groups.

19. Fair work is linked to better physical and mental health, while unfair work can be harmful. These regulations promote safe, healthy workplaces by requiring contracting authorities to collect information about the extent to which their suppliers are promoting fair work and an environment in which workers' voices are heard.

2.6 Privacy

20. A privacy impact assessment has been completed at Annex B.

SECTION 3. WHAT WILL BE THE EFFECT ON CULTURAL WELL-BEING AND THE WELSH LANGUAGE?

3.1 Cultural Well-being

21. The Well-being of Future Generations (Wales) Act 2015's goal for culture is 'A society that promotes and protects culture, heritage and the Welsh language and which encourages people to participate in the arts and sports and recreation'. Culture includes museums, archives, libraries and the arts; heritage includes the built historic environment as well as intangible heritage such as traditions; arts encompassing performance and creative sectors including music, literature, theatre and art, whilst sports and recreation include both elite and community sports as well as opportunities to participate in wider outdoor recreation.
22. No clear link is identified between these regulations and cultural goals in the WFG Act 2015.
23. No clear link is identified concerning if the regulations might have a negative effect on the promotion and protection of culture and heritage, or the ability of people to participate in arts, sport and recreation.

3.2 Welsh Language

24. A thriving Welsh language and cohesive communities are among our goals under the WFG Act.
25. The Regulations and Act support and promote the Welsh language through requiring contracting authorities to collect data on the proportion of its contract value that is with suppliers who offer employees the chance to use, learn or improve their Welsh. This may encourage businesses and third sector organisations to offer more opportunities to their staff.
26. See Annex C below.

SECTION 4. WHAT WILL BE THE EFFECT ON ECONOMIC WELL-BEING?

Supporting growth in the Welsh economy, and through this tackling poverty, is at the heart of the Welsh Government's Programme for Government.

4.1 Business, the general public and individuals

27. The regulations can support the economy by requiring contracting authorities to collect information on the proportion of the contract value awarded that is with suppliers who have a postal address or their principal or registered office address in Wales and who are SMEs or a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives.

4.2 Public Sector including local government and other public bodies

28. The Act introduced a duty for public bodies covered by the Act to engage in social partnership with trade unions and other staff representatives, supporting better public service delivery and reducing inequality through a more motivated and involved workforce. The SPC will provide a structured platform for employer and worker input into government policy.

29. Strengthening social partnership structures across the public sector is expected to enhance cooperation, workforce well-being, and service outcomes.

30. With public sector procurement valued at over £11 billion per year, these regulations aim to strengthen the connection between public spend and the achievement of fair work and social, environmental, economic and cultural outcomes.

4.3 Third Sector

31. These regulations include an obligation on contracting authorities to record the proportion of their contract value awarded in a financial year that is with third sector organisations (a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives). This will increase transparency about where public money is going, and encourage contracting authorities to ensure that they provide maximum opportunity for third sector organisations to bid for and win contracts.

4.4 Justice Impact

Please answer the following in relation to your proposal:

- ◆ **Are you bringing forward new primary legislation?**

32. No

- ◆ **Are you creating, removing or amending an offence?**

33. No

- ◆ **Could your proposal result in any other impact on the justice system e.g. through increased litigation, need for legal aid, appeal against a decision of a public body?**

34. The Regulations should not result in increased litigation, need for legal aid or appeal against a decision of a public body. The Regulations mainly introduce definitions for terms within the Act, and also define what information is required in the annual socially responsible report.

35. As such a Justice Impact Assessment was not completed.

SECTION 5. WHAT WILL BE THE EFFECT ON ENVIRONMENTAL WELL-BEING?

36. Under Section 9 of the Environment (Wales) Act 2016, the Welsh Ministers are required to prepare, publish and implement a natural resources policy and to take all reasonable steps to implement it and to encourage others to take such steps. The [Natural Resources Policy](#) was published in August 2017.

| | | |
|--|--|----------------------|
| Required for all proposals: | <ul style="list-style-type: none"> • Natural Resources Policy national priorities, challenges and opportunities | 5.1a 5.1b |
| Required for all proposals | <ul style="list-style-type: none"> • Biodiversity | 5.2 and Annex F |
| Required for all proposals | <ul style="list-style-type: none"> • Climate Change | 5.3 |
| Certain plans and programmes requiring SEA under the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 | <ul style="list-style-type: none"> • Strategic Environmental Assessment | 5.4 and IIA Guidance |
| Proposals which may affect a Special Area for Conservation or a Special Protected Area (SAC/SPA): | <ul style="list-style-type: none"> • Habitats Regulations Assessment | 5.5 and IIA Guidance |

| | | |
|---|---|-----------------------------|
| <p>Certain projects relating to town and country planning; transport; agriculture; forestry; marine, land drainage; and electricity which require EIA under the various EIA Regulations</p> | <ul style="list-style-type: none"> • Environmental Impact Assessment | <p>5.6 and IIA Guidance</p> |
|---|---|-----------------------------|

5.1 Natural Resources

5.1a How will the proposal deliver one or more of the National Priorities in the Natural Resources Policy (NRP)?

37. Having considered the regulations against the priorities of the Natural Resources Policy, a positive impact is identified and therefore a full impact assessment has not been undertaken.

38. These regulations require contracting authorities to collect information from their suppliers about whether they have a carbon reduction plan in place and whether they have an environmental plan in place. This data will be used to publish information on the proportion of contract value that is with suppliers who have these features.

5.1b Does the proposal help tackle the following national challenges and opportunities for the sustainable management of natural resources?

- ◆ *Reverse the decline in biodiversity – by developing resilient ecological networks;*
- ◆ *Safeguard and increase carbon stores in soils and biomass;*
- ◆ *Maintain productive capacity, in particular by improving soil quality and biosecurity;*
- ◆ *Reducing the risk of flooding;*
- ◆ *Supporting climate change mitigation and adaptation through ecosystem approaches;*
- ◆ *Reducing noise pollution and pollution levels in our air, and enhance air quality;*
- ◆ *Improve the quality and ensure the quantity of our water;*
- ◆ *Taking action to reduce the pressures on natural resources, such as through resource efficiency and renewable energy;*

- ◆ *Supporting preventative approaches to health outcomes, with a particular focus on key public health issues of transport related air and noise pollution, tackling physical inactivity and mental health;*
- ◆ *Supporting action to tackle health and economic inequalities;*
- ◆ *Supporting community cohesion; and,*
- ◆ *Supporting secure and stable employment.*

39. Having considered the proposals against the priorities of the Natural Resources Policy, a positive impact is identified and therefore a full impact assessment has not been undertaken. These regulations will ensure that information is captured from suppliers that covers some of the areas listed above.

5.2 Biodiversity

40. To demonstrate compliance with Section 6 of the Environment (Wales) Act 2016, a Biodiversity Impact Assessment has been completed at Annex D below.

5.3 Climate Change

5.3a Carbon

How will the proposal affect greenhouse gas emissions?

41. Officials have considered the carbon impact of these Regulations. We have not quantified the emissions associated with it because we expect them to fall below the threshold for a quantitative analysis. We have high confidence in our assessment.

42. This is because these regulations will ask suppliers whether or not they have carbon reduction and environmental management plans in place. However, they do not require suppliers to put these features in place. The regulations may promote a higher level of engagement with these requirements, but the extent to which this may happen is unknown.

5.3b Climate resilience

- Will this proposal be affected by any of the risks set out in the UK Climate Change Risk Assessment? **No**
- Will this proposal exacerbate any of the risks set out in the UK Climate Change Risk Assessment? **No**

Will this proposal reduce any of the risks set out in the UK Climate Change Risk Assessment? **No**

43. The regulations will require contracting authorities to collect information about their suppliers' environmental plans, and this will include climate resilience. But they will not require suppliers to have climate resilience plans in place.

5.4 Strategic Environmental Assessment (SEA)

Please explain your decision about whether or not an SEA is required by law.

44. The Regulations do not relate to any of the following: agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, tourism, town and country planning or land use. Nor does the proposal set the framework for future development consents in the areas above or require assessment under the Habitats Directive.

5.5 Habitats Regulations Assessment (HRA)

Please explain your decision about whether or not an HRA is required by law.

45. The Regulations will not affect any of the protected sites listed below. Therefore a full Habitats Regulations Assessment has not been carried out.

- Sites of Special Scientific Interest (SSSI);
- Special Areas of Conservation (SAC);
- Candidate Special Areas of Conservation (cSAC);
- Special Protection Areas (SPA);
- Potential Special Protection Areas (pSPA);
- Ramsar Sites (sites designated under the 1971 Ramsar Convention for the internationally important wetlands);
- National Nature Reserves (NNR).

5.6 Environmental Impact Assessment (EIA)

Please explain your decision about whether or not an EIA is required by law.

46. The Regulations will not involve any of the following items, therefore a full impact assessment is not required:

- Construction, mining, extraction or waste disposal works on land and at sea (including urban development, highways, ports, energy, agriculture and fish farming);
- The change of use of land;
- Afforestation or deforestation;

- Agricultural improvement on uncultivated or semi-natural areas;
- Restructuring of rural land holdings;
- Water extraction or land drainage.

SECTION 6. SOCIO-ECONOMIC DUTY WHAT WILL BE IMPACT ON SOCIO-ECONOMIC DISADVANTAGE?

6.1 The Socio-economic Duty.

47. These regulations relate to procurement decisions, and reporting on features of suppliers who are awarded contracts. They are not about decisions of a strategic nature. Therefore, a Socio-Economic Impact Assessment was not completed.

SECTION 7. RECORD OF FULL IMPACT ASSESSMENTS REQUIRED

| Impact Assessment | Yes/No |
|------------------------------------|--------|
| Children's rights | No |
| Equality | Yes |
| Socio-economic Duty | No |
| Rural Proofing | No |
| Health | No |
| Privacy | Yes |
| Welsh Language | Yes |
| Economic / RIA | Yes |
| Justice | No |
| Biodiversity | Yes |
| Climate Change | No |
| Strategic Environmental Assessment | No |
| Habitat Regulations Assessment | No |
| Environmental Impact Assessment | No |

SECTION 8. CONCLUSION

8.1 How have people most likely to be affected by the proposal been involved in developing it?

48. The proposed Regulations were published for consultation for a period 12 weeks, running from 22 July 2025 to 14 October 2025. Contracting authorities, suppliers and members of the public can provide their opinion on the proposed Regulations. Additionally, communication was issued to internal and external stakeholders in Welsh and English to those the Regulations are most likely to impact (the contracting authorities who will need to collect the relevant data, or apply the definitions of certain terms under the Act to their procurements).
49. The responses to the consultation were reviewed and some changes to the Regulations made. Such changes were communicated in the Consultation Response that has been issued and published for the public to view.

8.2 What are the most significant impacts, positive and negative?

50. These regulations will include some technical definitions, and implement a small wording change to align with the social model of disability. They also require contracting authorities to collect information about their suppliers that relates to the well-being goals. Although the suppliers are under no obligation to respond positively to all questions (the conditions listed in the regulations), the act of collecting the information may prompt them to make positive changes. It is not possible to estimate the extent to which this may happen over time. It is therefore difficult to assign a direct correlation between these regulations and any of the impacts addressed in this assessment. This IIA is about the regulations only. Another version was published on the broader procurement duties in the Act.

8.3 In light of the impacts identified, how will the proposal:

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

51. These regulations are designed to provide Welsh Ministers with information about the suppliers public sector bodies are contracting with in Wales. The aim is to influence, through contracting activity, suppliers engagement with the well-being goals and focus more attention on achieving social, environmental, economic and cultural wellbeing.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

52. Section 42 of the Act requires the Welsh Ministers to prepare a report on public procurement in Wales each year. The report must, in particular, include information about— (a) the annual procurement reports published under section 39; (b) the results of any investigations under section 41. The information required by these regulations will be included in that annual report, therefore impact of the regulations can be measured each year.

53. There are also plans to put in place an evaluvability framework and conduct an evaluation of the procurement duties in the Act in due course, which would include these regulations. This is dependent on the priorities of the new Welsh Government after the 2026 elections.

SECTION 9. DECLARATION

Declaration

I am satisfied that the impact of the proposed action has been adequately assessed and recorded.

Name of Senior Responsible Officer / Deputy Director:

Department:

Date:

FULL IMPACT ASSESSMENTS

A. EQUALITY IMPACT ASSESSMENT

These regulations make two small legislative changes that may have a small positive impact on people with protected characteristics. First, the change of wording from “people with disabilities” to “disabled people” aligns with Welsh Government policy and may encourage a wider understanding of the social model of disability, which may, in turn, prompt further action through procurement. These changes apply to the table of improvement categories within which model clauses will be created. Public bodies will either have to include these clauses in their construction contracts or notify Welsh Government, with reasons, why they are not doing so. Using language consistent with the social model of disability will help to improve employment opportunities for disabled people in the construction industry. As there are other mechanisms within both the Act and other policy aiming to increase opportunities for disabled people it will not be possible to measure any causal links.

A consultation has taken place on the draft regulations, and the response to a question about this change to the wording was positive around 60% of respondents agreed or strongly agreed and only around 6% disagreed with the change of wording due to different opinions on use of language.

Second, the regulations will require contracting authorities to collect information from suppliers about a number of matters, including whether they have inclusive recruitment and employment policies in place. Although it is not mandatory for a supplier to have these in place, unless they are also asked for the information as part of a procurement exercise, it may prompt some suppliers to improve their policies. The data will be published annually by public bodies in their annual socially responsible procurement report. The Welsh Ministers’ annual report on public procurement in Wales will also include information on these published reports.

The wider socially responsible procurement duties in the Act have the potential to deliver a significant positive impact for people with protected characteristics. This was the subject of an earlier [Integrated Impact Assessment](#).

The response to the consultation on this section was positive overall. Negative comments generally reflected concerns made by public bodies about the administrative burden of collecting this information. This does not have a specific impact on people with protected characteristic as it will apply to all organisations. Welsh Government is working on a technical solution to reduce the costs of collecting and reporting this information.

As far as these regulations go, there are no likely negative impacts on groups with protected characteristics arising from these regulations.

The Welsh Ministers are subject to the Public Sector Equality Duty (the “PSED”) under section 149 of the Equality Act 2010. The Bill seeks to promote and pursue equality of opportunity for all, irrespective of whether or not they share a protected characteristic, driven by working in social partnership.

Record of Impacts by protected characteristic:

| Protected characteristic or group | What are the positive or negative impacts of the proposal? | Reasons for your decision (including evidence) | How will you mitigate Impacts? |
|--|--|---|----------------------------------|
| Age (think about different age groups) | Potential positive impact | <p>The draft Regulations (The Social Partnership and Public Procurement (Wales) Regulations 2026) support the primary legislation of the Social Partnership and Public Procurement (Wales) Act 2023 (“the Act”). The Act aims to improve well-being, including social and economic well-being and promote fair work practices.</p> <p>While there is no direct mention of age, Regulation 5 of the draft Regulations includes a set of metrics, which</p> | No negative impacts are expected |

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| | | <p>measure whether the successful supplier delivers certain social goals. Among these are:</p> <ul style="list-style-type: none"> • whether they possess an equality, diversity and inclusion (EDI) policy covering recruitment and employment practices, and, • if they provide staff with regular training to understand the EDI policy and how it affects them. <p>By contracting authorities collecting and publishing such data, the Welsh Ministers hope to encourage authorities to engage with their suppliers and develop in areas where they may be struggling to provide (such as an EDI policy). An effective EDI policy would ideally positively impact all age groups.</p> | |
| Disability (consider the social model) | Positive impact | Regulation 6 of the draft Regulations amends the term “people with | |

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| of disability ² and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disabled people with different types of impairments) | | <p>disabilities" in section 27(2) of the Act with "disabled people" which is the correct terminology. This is to ensure that the improvements designed to be brought about by the social public works clauses align with the social model of disability.</p> <p>Similarly to above the regulations also include the collection of information about suppliers' EDI policies.</p> | No negative impacts are expected |
| Gender Reassignment (the act of transitioning and Transgender people) | Potential positive impact | <p>Similarly to above the regulations also include the collection of information about suppliers' EDI policies.</p> | No negative impacts are expected |
| Pregnancy and maternity | Potential positive impact | <p>Similarly to above the regulations also include the collection of information about suppliers' EDI policies.</p> | No negative impacts are expected |

² Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

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| Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees) | Potential positive impact | Similarly to above the regulations also include the collection of information about suppliers' EDI policies. | |
| Religion, belief and non-belief | Potential positive impact | Similarly to above the regulations also include the collection of information about suppliers' EDI policies. | |
| Sex / Gender | Potential for positive impact | Similarly to above the regulations also include the collection of information about suppliers' EDI policies. | |
| Sexual orientation (Lesbian, Gay and Bisexual) | Potential positive impact | Similarly to above the regulations also include the collection of information about suppliers' EDI policies. | |
| Marriage and civil partnership | Potential positive impact | Similarly to above the regulations also include the collection of information about suppliers' EDI policies. | |

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| Children and young people up to the age of 18 | No impact | The Regulations do not specifically impact on children and young people up to the age of 18 although they do promote fair work, which may impact more on children living in low income households | |
| Low-income households | Potential positive impact | The Regulations do not specifically impact on low income households, although they do promote fair work, which may impact more on low income households. | |

Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights? *(Please refer to point 1.4 of the EIA Guidance for further information about Human Rights and the UN Conventions).*

| Human Rights | What are the positive or negative impacts of the proposal? | Reasons for your decision (including evidence) | How will you mitigate negative Impacts? |
|------------------------|--|--|---|
| Human Rights Including | No impact | The Regulations do not directly relate to human rights. The procurement duties in the Act more | |

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| Human Rights Act and UN Conventions | | widely embed the requirement to contribute to the globally responsible Wales wellbeing goal through procurement. | |
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EU/EEA and Swiss Citizens' Rights

Part 2 of the EU-UK Withdrawal Agreement, along with the EEA EFTA Separation Agreement and Swiss Citizens Rights Agreement (“Citizens Rights Agreements”) give EU, EEA³ and Swiss citizens who were lawfully resident in the UK by 31 December 2020 certainty that their citizens’ rights will be protected.

The Citizens Rights Agreements are implemented in domestic law by the European Union (Withdrawal Agreement) Act 2020 (EUWAA).⁴

Eligible individuals falling within scope of the Citizens Rights Agreements will have broadly the same continued entitlements to work, study and access public services and benefits, in as far as these entitlements have derived from UK membership of the EU as well as its participation in the EEA Agreement and the EU-Swiss Free Movement of Persons Agreement.

Subject to certain limited exceptions⁵, individuals will need to have applied for a new residence status (either pre-settled or settled status) through the EU Settlement Scheme. The deadline for making such an application expired on 30 June 2021.

Policy considerations to take into account:

- Have you considered if your policy proposal will impact EU, EEA or Swiss citizens whose rights are protected by the Citizens Rights Agreements?
- If there is the potential for any negative impact on such EU, EEA or Swiss citizens, how will any such impacts be eliminated or managed if management is deemed appropriate?
- Is legal advice required?

Please consider the impacts of your policy on the areas below, indicating whether the impact is positive or negative and any action required to eliminate potential negative impact. Please note the basis for your answer, including where legal advice has been sought and please also indicate where a right is not relevant for your policy:

Residency – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;

³ The EAA includes the EU countries as well as Iceland, Liechtenstein and Norway.

⁴ Sections 5 and 6 of EUWAA.

⁵ E.g. where an individual has Irish citizenship (including dual British and Irish citizenship) or where they had indefinite leave to enter or remain in the UK)

Mutual recognition of professional qualifications –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK);

Access to social security systems – these include benefits, access to education, housing and access to healthcare

Equal treatment – this covers non-discrimination, equal treatment and rights of workers;

Workers rights - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.

(Frontier workers (those citizens who reside in one state and regularly work in another) can continue working in the UK if they did so by the 31 December 2020).

B. DATA PROTECTION IMPACT ASSESSMENT SCREENING

Please send your assessment to the Information Rights Unit (DataProtectionQueries@gov.wales) copied to your Information Asset Owner.

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| The Social Partnership and Public Procurement (Wales) Regulations 2026 |
| Name of Information Asset Owner: Amy Dietrich |
| PIA reference number (A unique number to identify this PIA such as DivDate or this document's ishare id) iShare id: A59572116 |
| <p>Please describe your proposal:</p> <p>The Regulations will specify some of the information Welsh Ministers require in annual socially responsible procurement reports, such as the percentage of contract value awarded during the year to suppliers that have a carbon reduction plan in place. The data which will be associated with the regulations is in the recording of information which will be provided by suppliers at tendering stages, which will be a tick box exercise to confirm if they have certain policies in place.</p> <p>There will be no new requirement for names, addresses etc., the business details are currently recorded on Sell2Wales as standard. Contracting authorities will use this information to produce their annual reports which will indicate how many suppliers have certain policies in place and information on social value. These reports will be published on the contracting authorities' websites. Welsh Government will receive these reports and then collate and produce an annual report on the status of socially responsible procurement in Wales. This document will be published annually.</p> |
| <p>Has data protection impact screening or assessment already been carried out?</p> <ul style="list-style-type: none"> • No |
| Does the proposal involve the processing of personal data by Welsh Government or any other parties? |

- **No:** there is no need to complete the remainder of this form. Please return it to DataProtectionQueries@gov.wales, copied to your Information Asset Owner

Please tick the personal data items that will be processed (this list is not exhaustive):

Personal

| | |
|------------------|--|
| Name | Telephone numbers |
| Name address | Date of birth |
| Business address | Driving licence number |
| Postcode | Passport / ID card number |
| Email address | Photographs / images (which could be used to identify an individual) |
| | Other (please specify) |

Special Category

| | |
|--|--|
| Racial / ethnic origin | Biometric data e.g. DNA, finger-prints |
| Political opinions | |
| Religious / philosophical beliefs | |
| Trade union membership | |
| Physical / mental health conditions | |
| Sexual life | |
| Sexual orientation | |
| Criminal & court records (inc. alleged offences) | |

If special category personal data is being processed, is this data being collected mandatorily (i.e. without the data subjects having an option to not provide it)?

- Yes – please provide details

| | | | | | | |
|--|-----------------------------|----------|----------------------|----------|--------------------------|----------|
| <ul style="list-style-type: none"> • No | | | | | | |
| <p>Do any of the data subjects whose personal data will be processed fall into the following categories?</p> <p>Children (under the age of 12)</p> <p>Patients</p> <p>Asylum Seekers</p> <p>Welsh Government employees</p> | | | | | | |
| <p>Please give an indication of the scale of the processing (e.g. pan-Wales; targeted group)</p> <p>Details</p> | | | | | | |
| <p>For the personal data being processed, please indicate</p> | | | | | | |
| <table border="1"> <tr> <td>Who the data controller is?</td> <td>Details:</td> </tr> <tr> <td>Any data processors?</td> <td>Details:</td> </tr> <tr> <td>Will the data be shared?</td> <td>Details:</td> </tr> </table> | Who the data controller is? | Details: | Any data processors? | Details: | Will the data be shared? | Details: |
| Who the data controller is? | Details: | | | | | |
| Any data processors? | Details: | | | | | |
| Will the data be shared? | Details: | | | | | |
| <p>What is the statutory basis for processing the data? NB – GDPR itself does <u>not</u> provide a statutory legal basis to process personal data.</p> | | | | | | |
| <p>Have legal Services confirmed that the basis outlined above provides the necessary statutory gateway for processing (including any proposed sharing)?</p> <ul style="list-style-type: none"> • Yes • No | | | | | | |
| <p>Will the proposal involve new or significantly changed processing of personal data about each individual?</p> <ul style="list-style-type: none"> • Yes (please provide details) • No | | | | | | |

Will the personal data be consolidated, linked or matched with data from other sources?

- Yes (please provide details)
- No

Will the personal data be used for automated decision making?

- Yes (please provide details)
- No

Will the personal data result in systematic monitoring of data subjects?

- Yes (please provide details)
- No

Does the proposal involve new or changed data collection, retention or sharing policies/practices for personal data?

- Yes (please provide details)
- No

Do you have a clear retention policy and what practical things are in place for you to ensure that your Retention Policy is applied?

- Yes (please provide details)
- No

Will the proposal involve the introduction of privacy-intrusive technologies such as

- Smart cards
- RFID tags
- Biometrics
- Visual surveillance (e.g. CCTV)
- Digital image and video recording
- Profiling, data mining or logging electronic traffic
- Locator technologies (e.g. GPS, mobile phone tracking)
- Other (please provide details)

Will the proposal involve new or changed identity management or authentication processes?

- Yes (please provide details)
- No

Will the proposal have the effect of enabling identification of individuals who were previously anonymous?

- Yes (please provide details)
- No

Please send your assessment to the Information Rights Unit (DataProtectionQueries@gov.wales) copied to your Information Asset Owner.

For completion by Information Rights Unit

Is a Data Protection Impact Assessment (DPIA) required for this proposal?

- No

The proposed regulations do not relate to the processing of personal data.

Has advice on UK General Data Protection Regulation (UK GDPR) compliance been provided?

- No

N/A - The proposed regulations do not relate to the processing of personal data.

C. WELSH LANGUAGE IMPACT ASSESSMENT

Cymraeg 2050 is our national strategy for increasing the number of Welsh speakers to a million by 2050.

The Welsh Government is fully committed to the new strategy, with the target of a million speakers included in its Programme for Government. A thriving Welsh language is also included in one of the 7 well-being goals in the Well-being of Future Generations (Wales) Act 2015.

We also have a statutory obligation to fully consider the effects of our work on the Welsh Language. This means that any Welsh Government policy should consider how our policies affect the language and those who speak it.

The *Cymraeg 2050* strategy has three interrelated themes:

Theme 1: Increasing the number of Welsh speakers

- Language transmission in the family
- The early years
- Statutory education
- Post-compulsory education
- The education workforce, resources and qualifications



Theme 2: Increasing the use of Welsh

- The workplace
- Services
- Social use of Welsh



Theme 3:

Creating favourable conditions – infrastructure and context

- Community and economy
- Culture and media
- Wales and the wider world
- Digital technology
- Linguistic infrastructure
- Language planning
- Evaluation and research

The headings under each theme outline the scope of activities that can affect the language.

As a general rule, if your policy has the potential to impact on people, it will impact in some way on Welsh speakers and therefore on the Welsh language.

1. Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team, email: Safonau.Standards@gov.wales): **09/12/2025**

2. Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – [Cymraeg 2050 A million Welsh speakers](#) and the related Work Programme for 2021-2026? [Cymraeg 2050 work programme 2021-2026](#)

Please see response to Q3 below.

3. Describe and explain the impact of the proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language. How will the proposal affect Welsh speakers of all ages (both positive and/or adverse effects)? You should note your responses to the following in your answer to this question, along with any other relevant information:
 - ◆ How will the proposal affect the sustainability of Welsh speaking communities⁶ (both positive and/or adverse effects)?
 - ◆ How will the proposal affect Welsh medium education and Welsh learners of all ages, including adults (both positive and/or adverse effects)?
 - ◆ How will the proposal affect services⁷ available in Welsh (both positive and/or adverse effects)? (e.g. health and social services, transport, housing, digital, youth, infrastructure, environment, local government etc.)
 - ◆ How will you ensure that people know about services that are available in Welsh and are able to access and use them as easily as they can in English? What evidence / data have

⁶ These can be close-knit rural communities, dispersed social networks in urban settings, and in virtual communities reaching across geographical spaces.

⁷ The Welsh Language Strategy aims to increase the range of services offered to Welsh speakers, and to see an increase in use of Welsh-language services.

you used to inform your assessment, including evidence from Welsh speakers or Welsh language interest groups?

- ◆ What other evidence would help you to conduct a better assessment?
- ◆ How will you know if your policy is a success?

As stated above, one of the Welsh Government's priorities is the development of local and foundational economies. Good procurement practice will promote the growth of local economies and encourage the use of local businesses, supporting the achievement of a more resilient Wales, cohesive communities and a vibrant culture, and a thriving Welsh language. This is in line with the report and recommendations of the Commission for Welsh-speaking Communities, *Empowering communities, strengthening the Welsh language*. Promoting good employment practices will also enhance people's well-being in rural areas – many of which have a high density of Welsh speakers.

The proposal demonstrates a clear link with Themes 2 and 3 of the Welsh Government's Welsh Language strategy *Cymraeg 2050: A Million Welsh Speakers* - Theme 2: Increasing the use of Welsh, specifically under the premise of 'the workplace' and theme 3: Creating favourable conditions – infrastructure and context.

The Central Digital Platform, required under these Regulations and associated Procurement Act, allows Tender Notices to be published bilingually across each Contracting Authority in Wales.

The Procurement Act has improved the ability of SMEs to bid for government contracts and reduced barriers to potential bidders. These changes demonstrate links to Themes 2 and 3 of *Cymraeg 2050*: through increasing bilingual services (procurement opportunities in Welsh communities) and Theme 3, 'community and economy' through considering SMEs and reserving contracts by locality.

The legislation has also enabled Local Authorities to reserve below-threshold contracts by specific geographic location, thus introducing the potential for driving greater opportunities in Wales and for promoting the use of Welsh language amongst all communities in Wales.

The revised regulations impact on the Welsh language in one main respect; contracting authorities will be required to collect information from suppliers on whether or not they offer opportunities for workers to use, learn or improve their Welsh. This contributes directly to Themes 2 and 3 of *Cymraeg 2050*, by prompting more suppliers to consider providing these opportunities, however it does not include a mandate to do so. Contracting authorities will then present the data - the percentage of the contract value awarded within a financial year to suppliers who make these opportunities available to their staff – in their annual reports.

System enhancements are continually progressed with Welsh Government and UK Government to make the publication of Notices in both Welsh and English easier for Buyers and clearer for Suppliers.

Welsh Government continues to communicate with stakeholders through guidance documents, regular email updates, virtual webinar sessions and in-person presentations to ensure awareness of the bilingual training and guidance that is on offer.

Moving forwards we will continue to ensure the success of the policy by monitoring the take up of Welsh versus English language materials, to ensure numbers are stable and / or increase and address any issues that are brought to our attention to achieve continuous improvement.

D. BIODIVERSITY IMPACT ASSESSMENT

Embedding biodiversity

1. How will your proposal integrate biodiversity into decision making?

- ◆ Have you considered the impacts and positive opportunities for action for biodiversity at the early stages of thinking or project design?
 - What impacts will procurement have on biodiversity, including global biodiversity?
 - Are products sourced sustainably?
 - Does your project include the use of materials or practices harmful to biodiversity?

Not directly relevant

- ◆ Does it require partners and beneficiaries to consider the impacts and opportunities for positive action for biodiversity at the early stages of thinking and project design?
 - Is the consideration of biodiversity a requirement of funding applications and project specifications?
 - Does your evaluation of these seek to ensure that biodiversity is maintained and enhanced?

It may prompt suppliers to think about the biodiversity aspects of their operations.

2. Has your proposal ensured biodiversity is accounted for in business decisions?

- ◆ Has it considered whole of life costs which include the value of biodiversity and natural resources within the cost benefit analysis, even if this is an informal process?
 - Have you thought about how enhancing biodiversity can help deliver across WG's activities for example, to support active recreation, education, flood prevention, and local food growing. (For example, green roofs help to provide wildlife habitats, reduce energy consumption and improve drainage systems.)
- ◆ Has it considered the long term costs of degradation of biodiversity and natural resources, and the potential for savings for health and well-being, flood risk etc?
- ◆ Can it encourage partners and beneficiaries to take these costs and savings into account?

These regulations may prompt suppliers to think about the biodiversity aspects of their operations.

3. How does your proposal improve understanding and raise awareness of the importance of biodiversity, encouraging others to act?

- ◆ Can you work with partners and beneficiaries to promote understanding of biodiversity?
- ◆ Can you promote the benefits of access to biodiversity through the delivery of public goods and services such as social care, community development, health and recreation?
- ◆ Can you provide, or source, specialist training where necessary?
- ◆ Can you link to other communications strategies and initiatives for biodiversity, for example award schemes, local events?

On their own these regulations will have little impact. Alongside the statutory guidance on the procurement duties in the Act this may promote increased understanding of the importance of biodiversity and how to promote it.

Improving our evidence, understanding and monitoring

4. Have you used the best available evidence of biodiversity to inform your proposal and this assessment?

- ◆ You **must** have regard to
 - the lists of species and habitats of principal importance published under Section 7 of the Environment (Wales) Act
 - the State of Natural Resources Report
 - any relevant area statement published by NRW.
- ◆ If your proposal is in regard to construction or land management directly or indirectly, it should reference biodiversity records available through
 - Local Environment Record Centres
 - Atlas of Living Wales
 - Lle

Not relevant to these regulations – the possible applications are too broad.

5. Have you used up to date knowledge of the key impacts on biodiversity to make evidence-based decisions?

- ◆ Do you know what the drivers of change and key negative factors are which could arise from your proposal?
- ◆ Are you satisfied that these do not apply or have been avoided?

Not relevant to these regulations – the possible applications are too broad.

6. Can your proposal contribute to our body of knowledge for biodiversity?

- ◆ Can it support citizen-science initiatives, and monitoring schemes?
- ◆ Have you ensured that any biodiversity data collected is made publicly available?

Not relevant to these regulations – the possible applications are too broad.

Governance and support for delivery of biodiversity action

7. Can your proposal support biodiversity action in any way?

- ◆ Can staff get involved in practical action?
- ◆ Can you fund action directly, or indirectly?
- ◆ Can you support partnerships and/or collaboration for local and community-based biodiversity action?

Not relevant to these regulations – the possible applications are too broad.

8. Can your proposal help to build capacity for biodiversity action?

- ◆ Can you support skills acquisition and training?
- ◆ Does your proposal ensure the appropriate level of qualifications of those involved in decision making regarding biodiversity?
- ◆ Can your proposal fund capacity building for biodiversity action?

Not relevant to these regulations – the possible applications are too broad.

9. Have you recorded decisions and actions to maintain and enhance biodiversity?

- ◆ A report on what the public authority has done to comply with the duty must be published by the end of 2019 and then every three years after this date.

Not relevant to these regulations – the possible applications are too broad.

If your proposal concerns construction or management of land and/or sea, please also consider Questions 10 – 16:

Safeguarding species and habitats of principal importance

10. Is all legislation complied with to ensure protection of marine and terrestrial species and habitats?

- ◆ Has any requirement for licences, monitoring and/or enforcement been considered and actioned?
- ◆ Has any requirement for EIA/SEA/HRA been identified and actioned?
- ◆ Have any impacts or opportunities for positive action for Section 7 species and habitats been identified and actioned?

Not relevant to these regulations – the possible applications are too broad.

11. Does the proposal seek first to maintain and enhance biodiversity?

- ◆ Have you selected the option which avoids loss and/or damage to biodiversity, and promotes the resilience of ecosystems?
- ◆ Only where the balance of environmental, economic, social and cultural benefits⁸ provided by your proposal is such that there may be some loss of habitat or species, have you sought to enhance biodiversity elsewhere on the site, or, where there is no other option, offsite?
- ◆ Does your proposal contribute to maintaining and enhancing biodiversity across Wales?

Not relevant to these regulations – the possible applications are too broad.

Increasing the resilience of our natural environment

12. Does your proposal contribute to building the resilience of our ecosystems?

- ◆ Does it work with nature, and consider the use of nature-based solutions first and foremost?
- ◆ Are any nature-based solutions native and bio-diverse?
- ◆ Can it restore or contribute to the restoration of degraded habitats?
- ◆ Can it contribute to building resilient ecological networks of habitats?

⁸ Taking proper account of the benefits and intrinsic value of natural resources, including biodiversity, and ecosystems

- ◆ Does the proposal improve site management to improve habitat or species condition at **any scale**? e.g. planting native species, providing wildflower areas for pollinators, leaving areas of unmown grass; and improving connectivity between valuable habitats?

Not relevant to these regulations – the possible applications are too broad.

13. Does your proposal contribute to the creation of new habitat?

- ◆ Does your proposal support the creation of new habitats, such as local orchards, native hedges, wildflower meadows or other areas of native, bio-diverse green space?
- ◆ Can habitat creation contribute to developing resilient ecological networks?

Not relevant to these regulations – the possible applications are too broad.

Tackling key pressures on species and habitats

14. Will the proposal have any negative impacts on habitats or species through

- ◆ change in land use?
- ◆ causing air, water, light, noise or vibration pollution?

Not relevant to these regulations – the possible applications are too broad.

15. Has all legislation regarding the pressures on species and habitats been complied with?

This would include:

- ◆ Pollution control
- ◆ Invasive non-native species
- ◆ Sustainable Urban Drainage Systems
- ◆ Climate Change etc.

Not relevant to these regulations – the possible applications are too broad.

16. How will any negative impacts be mitigated?

- ◆ Have whole system approaches and native, bio-diverse nature based solutions been used to reduce pollution and mitigate climate change?
- ◆ Does your proposal employ best practice for the sustainable management of agriculture, fisheries, forestry and construction?
- ◆ Does your proposal include action to support pollinators?

Not relevant to these regulations – the possible applications are too broad.